## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KING DRUG COMPANY OF FLORENCE, INC., et al.,  Plaintiffs	) ) ) ) No. 2:06-cy-1797
	)
V.	)
CEPHALON, INC., et al.,	)
Defendants	) ) )
VISTA HEALTHPLAN, INC., et al.,	) ) )
Plaintiffs	) No. 2:06-cv-1833
v.	) ) )
CEPHALON, INC., et al.,	)
Defendants	) ) )
APOTEX, INC.,	)
Plaintiff	) No. 2:06-cv-2768
v.	) )
CEPHALON, INC., et al.,	)
Defendants	) ) )

## [PROPOSED] ORDER DENYING PLAINTIFFS' PRECLUSION MOTIONS

Upon consideration of the Direct Purchaser Plaintiffs' Motion to Preclude

Defendants from Relitigating Issues Relating to the Validity and Enforceability of

the RE '516 Patent and Memorandum of Law in support thereof, the End-Payor Plaintiffs' Notice of Motion for Application of Collateral Estoppel and Memorandum of Law in support thereof, Apotex's Memorandum on the Preclusive Effect of the Patent Decisions on the Parties to Civil Action No. 2:06-CV-2768, and the Oppositions thereto, IT IS HEREBY ORDERED that the Motions are DENIED.

Dated:	, 2012	
	,	Honorable Mitchell S. Goldberg
		United States District Judge